

PROB 12C
(6/16)

Report Date: August 22, 2024

United States District Court

for the

Eastern District of WashingtonFILED IN THE
U.S. DISTRICT COURT
EASTERN DISTRICT OF WASHINGTON**Aug 22, 2024**

SEAN F. MCAVOY, CLERK

Petition for Warrant or Summons for Offender Under Supervision

Name of Offender: Paul Kirkland

Case Number: 0980 2:19CR00020-TOR-1

Address of Offender: [REDACTED] Spokane, Washington 99206

Name of Sentencing Judicial Officer: The Honorable Rosanna Malouf Peterson, Senior U.S. District Judge

Name of Supervising Judicial Officer: The Honorable Thomas O. Rice, U.S. District Judge

Date of Original Sentence: July 10, 2019

Original Offense: Possession with Intent to Distribute 5 Grams or More of Actual (Pure) Methamphetamine, 21 U.S.C. § 841(a)(1), (b)(1)(B)(viii); Felon in Possession of a Firearm, 18 U.S.C. §§ 922(g)(1), 924(a)(2)

Original Sentence: Prison - 72 Months;
TSR - 48 Months

Type of Supervision: Supervised Release

Asst. U.S. Attorney: Earl Allan Hicks

Date Supervision Commenced: May 3, 2024

Defense Attorney: Federal Public Defender

Date Supervision Expires: May 2, 2028

PETITIONING THE COURT

To incorporate the violation(s) contained in this petition in future proceedings with the violation(s) previously reported to the Court on 8/16/2024.

On May 6, 2024, Mr. Paul Kirkland signed his conditions relative to case number 2:19CR00020-RMP-1, indicating he understood all conditions as ordered by the Court.

The probation officer believes that the offender has violated the following condition(s) of supervision:

<u>Violation Number</u>	<u>Nature of Noncompliance</u>
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3	<u>Mandatory Condition #1:</u> You must not commit another federal, state or local crime.
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4	<u>Mandatory Condition #2:</u> You must not unlawfully possess a controlled substance, including marijuana, which remains illegal under federal law.
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Supporting Evidence: Mr. Kirkland is alleged to have violated mandatory condition number 1 and mandatory condition number 2 on or about August 15, 2024, by being in possession of "a little more than 1,000" small round blue pills, that which were stamped with the letter "M" on one side and "30" on the other side. The pills in question were located in Mr. Kirkland's vehicle following his arrest and the subsequent execution of a search warrant on the vehicle conducted by law enforcement on August 20, 2024. The report concludes that probable cause now exists to charge Mr. Kirkland with an additional charge of Possession

Prob12C

Re: Kirkland, Paul

August 22, 2024

Page 2

of a Counterfeit Controlled Substance with Intent to Deliver. This offense is defined and outlined in R.C.W. 69.50.401, and is a Class B felony.

As the Court may recall, Mr. Kirkland was arrested on August 15, 2024, in Spokane, Washington, by law enforcement for the offense of Controlled Substances Counterfeit Substance, in violation of R.C.W. 69.50.4011, a Class B felony. The details of that incident were previously reported to the Court in the petition dated August 16, 2024. The report concluded, noting that law enforcement had previously secured the subject's vehicle and intended to seek a search warrant to search the vehicle in its entirety.

On August 22, 2024, police records were obtained, outlining and describing law enforcement's search of Mr. Kirkland's vehicle occurring on August 20, 2024. According to the reports received, during the execution of the warrant, officers located a safe on the floor, behind the front passenger seat. The safe was found to contain a peach colored Crown Royal bag that contained ten "baggies" of what appeared to be 100 blue pills each, as well as a silver cylinder capsule that also contained what appeared to be 100 pills. The pills were described to be small, round and blue in color, and consistent with those previously secured by law enforcement during Mr. Kirkland's initial arrest occurring on August 15, 2024.

Law enforcement noted that the packaging of pills in quantities of 100 is often associated with small scale drug distribution, indicating that 100 pills is often referred to as a "roll." Law enforcement also located \$410 dollars in the vehicle's ash tray. The report concludes noting that probable cause had been established to charge the subject with an additional charge of possession of a counterfeit controlled substance with intent to deliver.

The U.S. Probation Office respectfully recommends the Court to incorporate the violation(s) contained in this petition in future proceedings with the violation(s) previously reported to the Court.

I declare under penalty of perjury that the foregoing is true and correct.

Executed on: August 22, 2024

s/Chris Heinen

Chris Heinen

U.S. Probation Officer

Prob12C

Re: Kirkland, Paul

August 22, 2024

Page 3

THE COURT ORDERS

- ☐ No Action
- ☐ The Issuance of a Warrant
- ☐ The Issuance of a Summons
- ☒ The incorporation of the violation(s) contained in this petition with the other violations pending before the Court.
- ☐ Defendant to appear before the Judge assigned to the case.
- ☒ Defendant to appear before the Magistrate Judge.
- ☐ Other



Thomas O. Rice
United States District Judge

August 22, 2024

Date